

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JAMES R. PEARSON,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
COMM'R OF SOCIAL SECURITY,

Defendant.

) Case No. 5:11 CV 1502

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) Judge Dan Aaron Polster

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) **ORDER**

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In a detailed Report and Recommendation ("R & R") issued on June 25, 2012, Magistrate Judge Kathleen B. Burke recommended that the final decision of the Commissioner of Social Security denying James R. Pearson's application for Disability Insurance Benefits be reversed and the case remanded for further proceedings. (Doc #: 18). On July 23, 2012, the Commissioner, through its attorney, filed a response to the R & R advising that he will not be filing objections to the Magistrate Judge's R & R. (Doc #: 20).

Accordingly, the Court hereby **ADOPTS** the unopposed R & R, **REVERSES** the Commissioner's denial of benefits, and **REMANDS** the case for further proceedings consistent with the R & R.

IT IS SO ORDERED.

/s/ Dan A. Polster July 25, 2012
Dan Aaron Polster
United States District Judge